

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN THE MATTER OF THE *EX PARTE* : Misc. Case No.: 21-mc-423  
APPLICATION OF PATOKH CHODIEV :  
FOR AN ORDER TO TAKE DISCOVERY :  
PURSUANT TO 28 U.S.C. § 1782 :  
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**DECLARATION OF KATE MAGUIRE**

Pursuant to 28 U.S.C. § 1746, I, Kate Maguire, declare under penalty of perjury as follows:

1. I am a British national and a solicitor admitted to practice in England and Wales. I submit this Declaration in support of the Application for Leave to Take Discovery for Use in Foreign Proceedings pursuant to 28 U.S.C. § 1782 by Patokh Chodiev.

2. I am personally familiar with the applicant Mr. Chodiev, the impact of the World-Check report on him, and his efforts to seek removal of that report. Since April 2010, I have been the in-house General Counsel for Musana Plus Services Limited (“Musana”), the family office for Mr. Chodiev and his family. My job responsibilities include engaging with counter-parties on corporate matters, receiving and sending correspondence on behalf of Mr. Chodiev and members of the Chodiev family related to legal matters, and working with external counsel as needed, including dispute resolution.

3. The applicant Mr. Chodiev is a Belgian citizen, who has significant business and personal ties to London, England. He is a successful and respected international businessperson, author and philanthropist. He is a member of the Board of Directors of the Eurasian Resources Group (“ERG”), which is a leading diversified natural resources group. ERG has a portfolio of production assets and development projects in 15 countries and

employs more than 85,000 people globally.<sup>1</sup> Mr. Chodiev is also the founder of the International Chodiev Foundation, which since 1996 has worked tirelessly to transform the lives of young people around the world. It has managed more than 1,000 projects, in more than five countries worldwide. Mr. Chodiev is Muslim and originally from Central Asia, and he continues to be involved in various charitable and philanthropic organizations in the region.

4. On August 3, 2020 Refinitiv sent an email to me indicating that it intended to publish a report in its World-Check database regarding Mr. Chodiev (“Report”). The signature on the email indicated that the sender, Deborah Kemp, was sending it from Refinitiv. Attached as **Exhibit A** is a true and correct copy of an email chain containing that August 3, 2020 email.

5. Despite initial correspondence in which I made a request for more than a three-day window to provide a response to Refinitiv’s email (some of which fell over a weekend) Refinitiv proceeded to publish the Report on August 17, 2020. Attached as **Exhibit B** is a true and correct copy of the World-Check report on Mr. Chodiev as it was provided to me at the time. In preparation for this declaration, I obtained a current version of the Report, which is identical in substance to the Report published on August 17, 2020.

6. On August 24, 2020, I sent a letter to Refinitiv on behalf of Mr. Chodiev identifying inaccuracies and issues with the Report and requesting that, in the light of these issues, the Report be removed. In the spirit of establishing a correct and responsible record, I also reminded Refinitiv that they had previously mis-identified Mr. Chodiev as a “Politically Exposed Person” and had to remove that mis-identification from the World-Check database after they confirmed that the news sources on which that assessment was made were

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<sup>1</sup> <https://www.eurasianresources.lu/en/pages/group-at-a-glance/group-at-a-glance>.

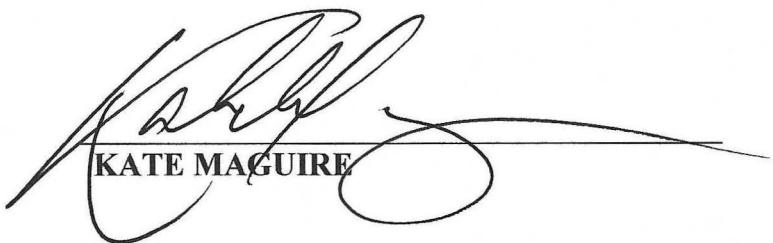
erroneous. Attached as **Exhibit C** is a true and correct copy of that August 24, 2020 letter to Refinitiv.

8. Following publication of the World Check Report, I am informed and believe that it was communicated to third parties, including corporate services providers, banks, law firms, audit and accountancy firms with which Mr. Chodiev works and which pay for access to World-Check. This fact has caused Mr. Chodiev (and his business enterprises) to suffer both professional and personal harm. Further, the existence of this Report implicates other members of Mr. Chodiev's family members and business associates.

9. Despite several months of additional correspondence between August 2020 and April 2021, Refinitiv has not removed the Report, which is identical in substance to the Report published on August 17, 2020. In addition, Refinitiv has not adequately responded to data subject access requests from Mr. Chodiev. Due to these failures, Mr. Chodiev anticipates commencing proceedings against Refinitiv in the United Kingdom.

10. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 3, 2021  
London, United Kingdom



KATE MAGUIRE